

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE CHICAGO PAINTERS)
AND DECORATORS WELFARE FUND;)
)
Plaintiffs,)
v.) No. 14-cv-7196
)
TIMOTHY P. LAUERMAN, Individually and d/b/) Judge Blakey
a TPL SIGN SERVICES, INC., a dissolved)
corporation)
Defendants.)

**PLAINTIFFS' MOTION FOR ORDER OF DEFAULT AND FOR JUDGMENT IN A
SUM CERTAIN**

Plaintiffs, by and through their attorneys, DONALD D. SCHWARTZ, JAMES R. ANDERSON, GRANT R. PIECHOCINSKI, and ARNOLD AND KADJAN, move this Court to enter an order of default against the Defendants, and judgment in a sum certain. In support of their Motion, the Plaintiffs state as follows:

1. This is an action to recover delinquent fringe benefit fund contributions, liquidated damages, interest and other charges due and owing under collective bargaining agreements, declaration of trust, and the applicable provisions of ERISA.
2. The Defendants were served with the Summons and Complaint on October 8, 2014.
3. More than twenty-one days have passed and the Defendant has not served an Answer or any other responsive pleading.
4. According to the Affidavit of Richard Wolf (Ex. A), the Defendant owes \$6,745.98 based upon the findings of an audit for the period from March 1, 2010 through August 31, 2014, which consists of \$5,305.20 in contributions, \$780.78 for liquidated damages, and \$760.00 for audit costs. The Defendant also owes \$17,126.10 in unpaid liquidated damages for liquidated damages that are owed as a result of contributions not being paid on time. This makes \$23,872.08 owed without attorney's fees.
5. According to the Declaration of Grant Piechocinski (Ex B), Plaintiffs incurred \$3,726.00 in attorney's fees and costs. This makes \$27,598.08 owed with attorney's fees.

6. Correspondence with the Fund office reveals that TPL Sign Services made a payment on December 3, 2014 for \$2,704 for amounts owed on the audit.
7. This leaves a remaining balance of \$24,894.08 owed on the audit including attorney's fees for the audit period of March 1, 2010 through August 31, 2014.

WHEREFORE, Plaintiffs pray that this Court grant the following relief:

- A. That the Court enter an order of Default; and
- B. That this Court enter final judgment in favor of Plaintiffs, and against the Defendants, Timothy Lauerman individually, and d/b/a TPL Sign Services, Inc. a dissolved corporation in the amount of \$24,894.08 for the audit period of March 1, 2010 through August 31, 2014.

Respectfully submitted,

TRUSTEES OF THE CHICAGO PAINTERS et al,

s/s/ Grant R. Piechocinski
One of their attorneys

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